

PART 101—PARTICIPATION IN RESERVE TRAINING PROGRAMS

Sec.

- 101.1 Reissuance and purpose.
- 101.2 Applicability.
- 101.3 Definitions.
- 101.4 Responsibilities.
- 101.5 Requirements.
- 101.6 Criteria for satisfactory performance.
- 101.7 Compliance measures.
- 101.8 Reserve training in sovereign foreign nations.

AUTHORITY: 10 U.S.C. 270 (a), (b), (c), 511 (b), (d), and 673a, and 32 U.S.C. 502(a).

SOURCE: 44 FR 53160, Sept. 13, 1979, unless otherwise noted.

§ 101.1 Reissuance and purpose.

This part establishes: (a) The criteria and training requirements for satisfactory participation by members of the Reserve components of the U.S. Armed Forces who are subject to the provisions of 10 U.S.C. and 32 U.S.C., and (b) uniform DoD policy for training members of such Reserve components who may be temporarily residing in sovereign foreign nations.

§ 101.2 Applicability.

The provisions of this part apply to the Office of the Secretary of Defense and the Military Departments.

§ 101.3 Definitions.

For the purposes of administering 10 U.S.C. 270(a), the terms *enlisted* and *appointed* refer to initial entry into an armed force through enlistment or appointment.

§ 101.4 Responsibilities.

The Secretaries of the Military Departments will issue regulations prescribing criteria and training requirements for satisfactory participation in Reserve training programs by members of Reserve components of the U.S. Armed Forces and exceptions thereto, consistent with § 101.5.

§ 101.5 Requirements.

(a) *Reserve participation*—(1) *Training requirements under 10 U.S.C. 270(a)*. (i) Each individual inducted, enlisted, or appointed in the U.S. Armed Forces after August 9, 1955, who becomes a member of the Ready Reserve (by

means other than through membership in the Army National Guard of the United States (see § 101.5(a)(2)) during the required statutory period in the Ready Reserve, participate or serve as follows, except as provided in 32 CFR part 102.

(A) In at least 48 scheduled drills or training periods and not less than 14 days (exclusive of travel time) of active duty training during each year; or

(B) On active duty for training for no more than 30 days each year, unless otherwise specifically prescribed by the Secretary of Defense.

(ii) The provisions of § 101.5(a)(1) do not apply to graduates of the Federal and State Maritime Academies who are commissioned in the Naval Reserve.

(2) *Training requirements under 32 U.S.C. 502(a) apply to the Secretaries of the Army and Air Force only*. Members of the Army and Air National Guard shall:

(i) Assemble for drill and instruction at least 48 times a year, and

(ii) Participate in training encampments, maneuvers, or other exercises at least 15 days a year, unless excused by the Secretaries of the Army or Air Force.

(3) *Active duty*. Enlisted members who have served 2 years on active duty or who, under the policy and regulations of the Military Services concerned, were credited with having served 2 years of active duty will not be required to perform duty as described in paragraph (a)(1)(i) (A) and (B) of this section unless such members:

(i) Enlisted under the provisions of 10 U.S.C. 511(b) or (d) thereby incurring a statutory obligation to participate in the Ready Reserve in an active training status for a specified period of time after the 2 years of active duty described above.

(ii) Performed part or all of their 2 years of active duty as a result of being ordered to active duty under 10 U.S.C. 673a for not participating satisfactorily in a unit of the Ready Reserve. However, the Secretary concerned, or designee, may waive this requirement in those cases where involuntary retention would not be in the best interest of the Service.

(iii) Filled a vacancy in the Selected Reserve that otherwise cannot be